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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald C. Mann et al.
Assignee: UltraCard, Inc.
Title: Data Storage Device, Apparatus and Method for
Using Same
Serial No.: 09/426,793-2355 File Date: 10/23/1999
Examiner: Frech, Karl D. Art Unit: 2876
Docket No.: ULT-001 (old 5555413436/0)

Date: August 24, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION MAILED ON 6/2/04

Dear Sir:

In response to the Office Action mailed from the Patent
Office on June 2, 2004, please amend the application as follows.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald C. Mann et al.

Application No.: 09/426,793

Art Unit.: 2876

Filing Date: 10/23/1999

Examiner: Karl D. Frech

For: "Data Storage Device, Apparatus and Method For Using Same"

Atty. Dkt. No.: UL1001

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: August 24, 2004

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- STATUS:** Applicant is a small entity.
- EXTENSION OF TERM:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- FEE FOR CLAIMS:** The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	88	Minus	115	= 0	x \$9 =	\$0
Indep.	6	Minus	12	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim					+ \$145 =	\$0
Total Addit. Fee						\$0

No additional fee for claims is required.

- FEE DEFICIENCY:** If any additional extension and/or fee is required, please charge Deposit Account No. 50-0574.

Customer No. 022888
Tel.: (408) 451-5900


SIGNATURE OF PRACTITIONER

James E. Parsons
Reg. No. 34,691

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 24, 2004.

8/24/2004
Date

Signature: Rebecca A. Baumann